

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF:

RESOLUTION NO. 23-007

ISSUE A REQUEST FOR PROPOSALS (RFP) FOR
VHF ENGINEERING STUDY, A PROJECT OF THE
AMERICAN RESCUE PLAN ACT FUNDING

WHEREAS, the VHF radio infrastructure of Lewis County emergency services is aging; and

WHEREAS, Lewis County received federal funding from the American Rescue Plan Act and has designated \$4.5 million of these funds to improve the VHF radio infrastructure; and

WHEREAS, an engineering study of the County's radio infrastructure is the first step in establishing a plan to replace the existing radio infrastructure.

NOW THEREFORE BE IT RESOLVED that the Director of 911 Communications is directed to prepare a request for proposals (RFP) for a VHF infrastructure engineering study and evaluate responses; and

NOW THEREFORE BE IT FURTHER RESOLVED proposals shall be submitted to 911 Communications Director Jennifer Libby-Jones at 351 N.W. North Street, Chehalis, WA 98532, by 4 p.m. February 23, 2023; and

NOW THEREFORE BE IT FURTHER RESOLVED the Clerk of Board of County Commissioners is instructed to proceed with all appropriate and necessary notifications to advertise for said purpose.

DONE IN OPEN SESSION this 10th day of January, 2023.

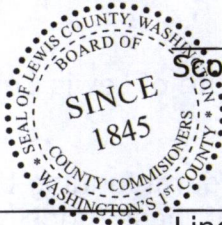
APPROVED AS TO FORM:
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON

Robert Bradley
By: Robert Bradley,
Deputy Prosecuting Attorney

Sean D. Swope
Sean D. Swope, Chair

ATTEST:



Scott J. Brummer
Scott J. Brummer, Vice Chair

Rieva Lester
Rieva Lester,
Clerk of the Lewis County Board of
County Commissioners

Lindsey R. Pollock, DVM
Lindsey R. Pollock, DVM, Commissioner



LEWIS COUNTY NOTICE FOR:

Request for Proposals (RFP)

RFP for VHF Radio Infrastructure Engineering Studay, a project funded by the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, a part of the American Rescue Plan.

Proposals must be marked "VHF Engineering Study" Attention: Jennifer Libby-Jones and be delivered to Lewis County 911 Communication, 351 NW North St., Chehalis, WA 98532.

Lewis County desires to engage a qualified and experienced radio engineering firm to provide a VHF infrastructure engineering study and recommendations on improving the existing public safety communications system in Lewis County.

CLOSING DAY AND TIME: Responses will be accepted no later than 4:00 p.m. on February 23, 2023.

The proposals must be submitted with a master (marked "Original") and four (4) copies (marked "Copy") and one jump/flash drive or email with a copy of the proposal downloaded. Completed proposal packets are limited to ten (10) pages, double-sided if needed.

For more information about the project and submittal requirements, contact Jennifer Libby-Jones at jennifer.libby-jones@lewiscountywa.gov or at 360-740-3394.

DATED this 10th of January, 2023.

A handwritten signature in blue ink, appearing to read "R. R. R. R. R.", is written over a horizontal line.

Clerk of the Board of County Commissioners
Lewis County, WA

PUBLISH: The Chronicle Thurs 1/12/23; The Seattle Daily Journal of Commerce Thurs 1/12/23;
The Portland Daily Journal of Commerce Wed 1/11/23
Lewis County website @www.lewiscountywa.gov



LEWIS COUNTY REQUEST FOR PROPOSALS

Engineering Study for Radio Site Infrastructure Improvements and Microwave Backhaul

**Please Submit five (5) Paper Copies
and One (1) Electronic PDF by:
February 23, 2023 4:00 PM**

**Lewis County
351 NW North St
Chehalis, WA 98532**



REQUEST FOR PROPOSALS (RFP): RADIO EQUIPMENT MAINTENANCE & SUPPORT SERVICES

Estimated RFP Schedule

RFP Issued:	January 12, 2023
Final Date for Questions Related to RFP:	February 2, 2023
Proposal Deadline:	February 23, 2023
Applicant Selection (may include interviews):	March 2, 2023*
Selection of Consultant and Contract Development:	March 9, 2023*

**Exact dates are subject to change at the County's discretion*

Any interested individual may request to be on an email list to receive updates on the RFP process, including addenda to the RFP if any are issued. Lewis County may alter the RFP at any time.

Submittal Instructions

Written proposals and an electronic PDF must be received by Lewis County no later than 4PM PST on February 23, 2023. Proposals received after this deadline will not be accepted or considered.

Send proposals to:

Jennifer Libby-Jones
Director of 911 Communications
Lewis County
351 NW North St
Chehalis, WA 98532

Direct questions regarding the RFP to:

Justin Stennick
Radio Services
360.740.1292
justin.stennick@lewiscountywa.gov

Background

On March 11, 2021, the American Rescue Plan Act ("ARPA") was signed into law and established the Coronavirus State and Local Fiscal Recovery Fund ("SLFRF") program. This program is intended to provide support to State, territorial, local, and Tribal governments in responding to the economic and public health impacts of COVID-19 and in their efforts to contain impacts on their communities, residents, and businesses.

In 2022, the Lewis County Board of County Commissioners allocated \$4,500,000 in Federal ARPA funding to Lewis County Radio Services for the Radio Services Infrastructure Project to improve functionality and interoperability of radio services systems in Lewis County.

Introduction

Lewis County (COUNTY) is seeking consultant services to perform an engineering study for replacement of existing systems, including repeaters, microwave radios, receiver voting equipment, and simulcast systems in support of a radio system that connects the police, fire, public work and 911 dispatch in Lewis County. This Request for Proposals includes funding that is under the Coronavirus State and Local Fiscal Recovery Funds, a subset of the American Rescue Plan Act of 2021.

Throughout this project there will be a need to maintain quality control and management of cost and expenses. The selected service provider will be expected to ensure that all applicable federal, state and local laws and regulations are followed. The project will require the selected service provider to work closely with the Lewis County and other relevant partners, staff and the general public throughout the project.

The Lewis County goals and objectives for this RFP are to identify gaps in current coverage and provide recommendations to improve radio site coverage, compatibility, and interoperability. This includes:

- Evaluating plan for and making recommendations for replacement of existing radio infrastructure equipment as a county-wide simulcast system.
- Evaluating plan for and making recommendations for replacement of existing microwave infrastructure.
- Evaluating plan for and making recommendations for replacement of existing DC power plants.
- Analysis of existing sites and recommendations of additional/alternate sites for improved coverage.
- Coverage maps of existing and proposed sites.

The COUNTY encourages any inquiries with respect to the expectations and/or scope of work sought through this proposal by email to the COUNTY – Attention Justin Stennick, justin.stennick@lewiscountywa.gov. All inquiries will receive a response.

A service provider will be selected for this project based on criteria stated in “Evaluation of Proposals”. All proposals received by 4:00 p.m. PST on Thursday, February 23, 2022 will receive full consideration.

RFP Process

It is expected that one (1) bidder will be selected as a result of the RFP, although the COUNTY is under no obligation to award a contract as a result of the selection process. Based on the proposals received, the selection committee will evaluate proposals received and potentially conduct interviews. As a result of the evaluation, the top-rated consultant will be selected for contract negotiations.

Overview

Situated centrally between Seattle and Portland, and between the mountains and the ocean, Lewis County is a beautiful rural county with a long history. As Washington’s first county, Lewis County has deep economic and cultural roots in the timber and agriculture industries. Lewis County has nine incorporated cities/towns and over a dozen other established communities, each with their own unique identity and history.

Lewis County is a safe and proud community with good schools, a growing economy, vibrant cities, and a wealth of recreational opportunities. Hunting, fishing, hiking, biking, skiing and

boating are all just a short trip in any direction here. Lewis County utilizes these natural resources in a way that creates an environment that attracts and retains those with an appreciation for its natural beauty and a sense of adventure.

Lewis County has a growing population now exceeding 80,000 and Chehalis is the County seat. Lewis County operates under the commission form of government with three Commissioners and a County Manager. Elected officials include the Assessor, Auditor, Clerk, Coroner, Sheriff, Treasurer, Prosecuting Attorney, and Judges for District and Superior Courts.

Scope of Services

As envisioned, the scope of services for this proposal will include an engineering study for the:

- Replacement of existing radio infrastructure equipment as a county-wide simulcast system.
- Replacement of existing microwave infrastructure.
- Replacement of existing DC power plants.
- Analysis of existing sites and recommendations of additional/alternate sites for improved coverage.
- Coverage maps of existing and proposed sites.

Current Lewis County radio infrastructure site locations:

- | | |
|------------------------------|------------------------|
| • Crego Hill | • Cooks Hill |
| • Summit Hill/Chehalis Ridge | • Davis Hill |
| • Seminary Hill | • Onalaska |
| • Toledo Airport | • Manners Hill |
| • Bennett Road | • Democrat Hill |
| • Dog Mountain | • Hopkins Hill |
| • Packwood | • Storm King |
| • Burley Mountain | • Boisfort Peak/BawFaw |
| • Historic Courthouse | • Law & Justice Center |

Proposal Submission Requirements

Cover Letter - A cover letter addressed to Jennifer Libby-Jones, Director 911 Communications, 351 NW North St., Chehalis WA 98532. The cover letter must:

- State the company's ability to comply with all the stipulations of this solicitation
- Point out the company's particular strengths
- Provide a reason as to why they should be chosen to provide the service needed
- Specify any areas that the company cannot or may not be able to comply and explain why
- Be signed by a person legally able to commit the company
- Include the submitter's mailing address and telephone number

Key Proposal Information – Proposal submittals must include:

- Study outline and timeframe
- History of company showing familiarity with public safety radio systems
- Engineer and other involved staff qualifications
- Customer references

Fee Schedule and proposed fee to accomplish the work (separate, sealed envelope marked Fee Schedule).

Insurance – The selected vendor shall be required to provide a current copy of the Certificate of Liability Insurance naming Lewis County as an additional insured, and shall be considered as primary and shall waive all rights of subrogation. The County insurance shall be noncontributory.

Submission Instructions - Applicants must submit four (4) hard copies to the COUNTY by the deadline. The submittals shall be clearly marked on the exterior to denote both the names of the submitting firm and the particular professional services contract for which the proposals are offered, "VHF Engineering Study". The Proposal Submission must be limited to ten (10) pages, front and back, in length.

The deadline for submission shall be February 23, 2023 on or before 4:00pm PST.

Late submissions will not be accepted. Contractors submitting RFPs not in compliance with the Proposal Submission Requirements, will be considered non-responsive. All proposals should also be submitted as computer files in PDF format. Electronic files may be transferred via email to Jennifer Libby-Jones at jennifer.libby-jones@lewiscountywa.gov or provided on a portable electronic storage device. The COUNTY is not responsible for returning portable storage devices. Large files should be uploaded with a link to download files provided via email.

Submittals may be mailed or delivered

to: Jennifer Libby-Jones, Director 911

Communications

Lewis County

351 NW North St.

Chehalis, WA 98532

Lewis County is not responsible for communication errors. Applicants are advised to call the COUNTY 911 Communications department at 360-740-3394 to confirm that a submittal has been received.

Evaluation of Proposals

Evaluation Process

Lewis County's project team will review and evaluate all properly submitted proposals that are received on or before the deadline. The project team will first review each proposal for compliance

with the minimum qualifications and mandatory requirements of the RFP. Failure to comply with any mandatory requirements may disqualify a proposal. The project team shall participate in the analysis of RFPs, the interview process and the final recommendation of the selected consultant for the project. Upon successful negotiations with the selected consultant, the contract will be recommended for approval by the project team to the Board of COUNTY Commissioners.

Generally using the following evaluation criteria and based on an interview (if interviews are held), the County intends to enter into a contract with the most responsible and responsive contractor(s) whose proposal is determined to be the most advantageous to Lewis County.

Evaluation Criteria

Evaluation factors and maximum points will be as follows:

Criteria	Maximum Score
1. Familiarity with public safety grade radio and microwave infrastructure needs.	25
2. Successful experience working with local businesses providing similar services as those required by Lewis County	25
3. Qualifications, References	25
4. Fee Schedule	25
Total Maximum Score	100

COUNTY reserves the right to award to the proposer that presents the best value to COUNTY as determined solely by COUNTY in its absolute discretion.

Lewis County Rights

Lewis County reserves the right to reject any or all proposals, make counter proposals and/or engage in negotiations with any or all firms or individuals, waive any requirements or otherwise amend this RFP, or cancel the RFP in order to achieve the COUNTY's goals and objectives for this project. Any changes in the status of the RFP will be brought to the attention of all parties that provide contact information for updates. The information contained in this RFP represent the COUNTY's best information at the time of the release of the RFP and the COUNTY reserves the right to modify any term or condition contained herein.

Responsibility for Proposal Preparation

Except as otherwise specifically agreed to in writing by the COUNTY, each consulting individual or team submitting proposals shall provide and pay for all materials, labor, transportation, charges, levies, taxes, fees or expenses incurred, including all costs to prepare a response to this RFP, travel and presentation costs, and all other services and facilities of every nature whatsoever necessary for the preparation of the RFP.

It is neither the COUNTY's responsibility nor practice to acknowledge receipt of any proposal as a result of the RFP process. It is the proposer's responsibility to assure that a proposal is delivered and received in a timely manner.

No Conflict of Interest

No member of the Board of COUNTY Commissioners, member of the evaluation committee for this RFP, and any other officer, employee or agent of the Lewis County who exercises any functions or responsibilities in the selection of a proposal, shall have any personal interest, direct or indirect, in the project.

Mandatory Requirements

The following submission guidelines and requirements apply to this Request for Proposal:

1. Only qualified individuals or firms with radio and microwave infrastructure experience should submit proposals in response to this Request for Proposal.
2. Proposals must include a technical proposal that provides an overview of the proposed approach as well as a list of qualifications for all key personnel performing the work. In addition, the technical proposal should provide a proposed schedule and milestones, as applicable; including the hours estimated for completion of each phase of the project.
3. Proposals must include a description of method of approach, strategy, and/or ability to understand, facilitate, and complete the tasks listed under Project Scope.
4. A price proposal must be provided that fixed price.
5. Proposals must be signed by a representative that is authorized to commit proposer's company.
6. Proposals must include any suggested changes to the proposed terms and conditions for this procurement. Any changes to the proposed terms and conditions will be made at the Lewis County's sole discretion.
7. A copy of your current certificate of insurance for professional liability.
8. Statement of Conflicts of Interest (if any) the service provider or key employees may have regarding these services, and a plan for mitigating the conflict(s). Note that the County may in its sole discretion determine whether or not a conflict disqualifies a firm, and/or whether or not a conflict mitigation plan is acceptable.
9. System for Award Management. Service Providers should have a current registration in the System for Award Management (<https://www.sam.gov/SAM/>). Service provider and its Principals may not be debarred or suspended nor otherwise on the Excluded Parties List System

(EPLS) in the System for Award Management (SAM). Include verification that the service provider as well as its principals are not listed (are not debarred) through the System for Award Management. Enclose a printout of the search results that includes the record date. This clearance information should be included in the service provider's Proposal. The clearance in the Service Provider's proposal must be re-verified prior to award. Federal awarding agencies may relax the timing of the requirement for active SAM registration at time of allocation in order to expeditiously issue funding. At the time of award, the requirements of 2 CFR § 200.206, Federal awarding agency review of risk posed by recipients, continue to apply.

10. Required Contract Provisions. Applicable provisions (enclosed) must be included in all contracts executed as a result of this RFP.
11. Proposals must remain valid for a period of 90 days.
12. Submissions must meet the Pass/Fail Criteria listed above.

Open Records/Proprietary Information

Lewis County recognizes that in responding to this RFP, the proposer may desire to provide proprietary information in order to clarify and enhance their response. To the extent permitted by law, Lewis County will keep confidential such information provided that:

1. The information submitted is arguably proprietary, and
2. The proprietary information is submitted in a separate file or section that is clearly identified as containing proprietary information, according to the submittal instructions of this RFP. Only information that is credibly proprietary may be included. Inclusion of non-proprietary significant information in the sealed portions may render a submittal ineligible.

Responders should note that Lewis County is a county in Washington State, and as such its files are available for public review pursuant all applicable public disclosure laws, the Washington State Open Public Meetings Act, and the Freedom of Information Act.

General Information; Terms and Conditions

These are at the Entity's discretion – common examples include the following:

1. COUNTY may require any clarification or change it needs to understand the selected contractor's project approach.
2. The successful contractor must have Worker's Compensation Insurance covering work in Entity's Location. The successful contractor must also submit documents addressing insurance, non-collusion, tax law, debarment, and conflict of interest as part of the personal services contract.
3. COUNTY reserves the right to reject any or all proposals, and is not liable for any

- costs the contractor incurs while preparing or presenting the proposal.
4. COUNTY reserves the right to cancel this RFP upon a good cause finding.
 5. COUNTY may award a contract to the contractor whose proposal, in the opinion of COUNTY, would be most advantageous to COUNTY.
 6. The selected contractor will be required to assume responsibility for all services outlined in the RFP, whether the contractor produces them.
 7. This RFP does not commit COUNTY to award a contract, nor to pay any costs incurred in the preparation of the response to the RFP. COUNTY reserves the right to accept or reject any or all responses received as a result of this request or to cancel this RFP in part or in its entirety. COUNTY may request additional information from responders.
 8. Failure of the Contractor to perform the scope of work identified or to meet the performance standards established by the resulting Contract include, may result in the following:
 - a. COUNTY's reduction or withholding of payment under the Contract,
 - b. COUNTY's right to require the Contractor to perform, at the Contractor's expense, any additional work necessary to perform the scope of work or to meet the performance standards established by the resulting Contract; and
 - c. COUNTY's rights, which COUNTY may assert individually or in combination, to declare a default of the resulting Contract, to terminate the resulting Contract, and to seek damages and other relief available under the resulting Contract or applicable law.

System for Award Management (SAM) record search for company name and company principal

Vendors must register with the System for Award Management (SAM) and must not be debarred from receiving federal funds to qualify for this award. It is recommended vendor register as soon as responding to the RFP as the SAM process may take several weeks to complete and must be in place prior to any contract process.

Contract Provisions

The non-Federal entity's contracts should contain applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

Terms Required for all Lewis County Contracts Funded with American Rescue Plan Act (ARPA) Funds Subject to the Uniform Guidance

In the event of a conflict between these Terms Required for all Lewis County Contracts Funded with ARPA funds Subject to the Uniform Guidance ("Federally Required Contract Terms") and the terms of the main body of the Contract or any exhibit or appendix, these Federally Required Contract Terms shall govern.

2 CFR 200 APPENDIX II (A). Contracts for more than the simplified acquisition threshold, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

2 CFR 200 APPENDIX II (B). All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

Debarment and Suspension. Contractor represents and warrants that, as of the execution of this Contract, neither Contractor nor any subcontractor or sub-consultant performing work under this Contract (at any tier) is included on the federally debarred bidder's list listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." If at any point during Contract's term Contractor or any subcontractor or sub-consultant performing work at any tier is included on the federally debarred bidder's list, Contractor shall notify the County immediately. Contractor's completed Vendor Debarment Certification is attached hereto and incorporated herein.

Amendment Permitted. This list of Federally Required Contract terms may be amended by the County in the event that the applicable federal grant providing funding for this Agreement contains additional required terms.

Public Records. The Contractor shall assist the County in fulfilling all obligations of the County under the Washington Public Records Act (chapter 42.56 of the Revised Code of Washington). In the event that the Contractor fails to fulfill its obligations pursuant to this section and due in whole or in part to such failure a court of competent jurisdiction imposes a penalty upon the County for violation of the Public Records Act, Contractor shall indemnify the County for that penalty, as well as for all costs and attorney fees incurred by the County in the litigation giving rise to such a penalty. The obligations created by this section shall survive the termination of this contract.

Record Retention. The Contractor shall maintain all books, records, documents, data and other evidence relating to this contract and performance of the services described herein, including but not limited to, accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this contract. Contractor shall retain such records for a period of seven (7) years following the date of final payment.

If any litigation, claim or audit is started before the expiration of the seven- (7) year period, the records shall be retained for a period of seven (7) years after all litigation, claims, or audit findings involving the records have been finally resolved.

Procurement of Recovered Materials. A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes

energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—If this is a contract or sub-grant in excess of \$150,000, Contractor must comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387).

Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). Contractor certifies that:

No federal appropriated funds have been paid or will be paid, by or on behalf of Contractor, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal Loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of and Federal contract, grant, loan, or cooperative agreement.

If any funds other than federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, Contractor shall request and provide, completed, the "Disclosure Form to Report Lobbying," in accordance with its instructions as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96).

Contractor shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Contractor's completed Byrd Anti-Lobbying Certification is attached hereto and incorporated herein.

Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). If this Contract is for an amount in excess of \$100,000 and involves the employment of mechanics or laborers, Contractor must comply with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, Contractor must compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

Right to Inventions. If the federal award is a "funding agreement" under 37 CFR 401.2 and this is an agreement between the County or a sub-recipient and a small business firm or nonprofit organization regarding the substitution of parties, assignment of performance or experimental, developmental or research work thereunder, the County or sub-recipient will comply with 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). If this is a “prime construction contract,” in its performance under the Contract, Contractor shall comply with the Davis-Bacon Act (40 Page 13 of 38 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, Contractor is required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, Contractor is required to pay wages not less than once a week.

Note: this paragraph is not applicable to contracts paid for solely with ARPA SLFRF moneys.

Prevailing Wage. Contractor shall pay the prevailing rate of wages to all workers, laborers, or mechanics employed in the performance of any part of the Work in accordance with RCW 39.12 and the rules and regulations of the Department of Labor and Industries. The schedule of prevailing wage rates for the locality or localities of the Work, is determined by the Industrial Statistician of the Department of Labor and Industries. It is the Contractor’s responsibility to verify the applicable prevailing wage rate.

Each Application for Payment submitted by Contractor shall state that prevailing wages have been paid in accordance with the pre-filed statement(s) of intent, as approved. Copies of the approved intent statement(s) shall be posted on the job site with the address and telephone number of the Industrial Statistician of the Department of Labor and Industries where a complaint or inquiry concerning prevailing wages may be made.

In compliance with chapter 296-127 WAC, Contractor shall pay to the Department of Labor and Industries the currently established fee(s) for each statement of intent and/or affidavit of wages paid submitted to the Department of Labor and Industries for certification.

Equal Employment Opportunity. If this is a “federally assisted construction contract,” as defined by 41 CFP Part 60- 1.3, except as otherwise provided in 41 CFR Part 60, in its performance under the contract, the 41 CFP Part 60-1.3 shall comply with the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.” The text of 41 CFR 60-1.4(b) is available upon request.

Domestic preferences for procurements. Pursuant to 2 CFR §200.322, as appropriate, and to the extent consistent with law, contractor should, to the greatest extent practicable under this Contract, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subcontracts and purchase orders for work or products under this Contract.

Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment.

Contractor shall not use funds under this Contract to purchase, or enter into subcontracts to purchase, any equipment, services, or systems that use telecommunications equipment or services as a substantial or essential component of a system that is subject to 2 CFR § 200.216 (generally, video surveillance or telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company, their subsidiaries or affiliates, or any entity that the Secretary of Defense reasonably believes to be an entity owned or controlled by the government of

a foreign country). In the event Contractor identifies covered telecommunications equipment or services that constitute a substantial or essential component of any system, or as critical technology as part of any system that is subject to 2 CFR § 200.216, during Contract performance, Contractor shall alert the County as soon as possible and shall provide information on any measures taken to prevent recurrence.

BYRD Anti-Lobbying Certification

(To be submitted with each bid or offer exceeding \$100,000)

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official

Printed Name and Title of Contractor's Authorized Official

Date

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS
(TO BE FILLED OUT BY WINNING PROPOSERS)**

The bidder, proposer, contractor, or subcontractor, as appropriate, certifies to the best of its knowledge and belief that neither it nor any of its officers, directors, or managers who will be working under the Contract, or persons or entities holding a greater than 10% equity interest in it (collectively "Principals"):

1. Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal or state department or agency in the United States;
2. Have within a three-year period preceding this proposal, bid, or agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state anti-trust or procurement statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are presently indicted for or otherwise criminally or civilly charged by a government entity, (federal, state or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and
4. Have within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or bid, or termination of the award or, in some instances, criminal prosecution.

I hereby certify as stated above:

Signature

Date

Print Title and Name of authorized representative

I am unable to certify to one or more the above statements. Attached is my explanation.

Signature

Date

Print Title and Name of authorized representative

BOCC AGENDA ITEM SUMMARY

Resolution:**BOCC Meeting Date:** Jan. 10, 2023**Suggested Wording for Agenda Item:****Agenda Type:** Legal Notice

Issue a request for proposals (RFP) for VHF engineering study, a project of the American Rescue Plan Act funding

Contact: Jennifer Libby-Jones**Phone:** 360-740-3394**Department:** COMM - 911**Description:**

RFP - VHF Infrastructure Engineering Study

Approvals:

User	Status
PA's Office	Approved

Publication Requirements:**Publications:**

The Chronicle Thurs 1/12/23; The Seattle Daily Journal of Commerce Thurs 1/12/23; The Portland Daily Journal of Commerce Wed 1/11/23

Additional Copies:**Cover Letter To:**